

Remarks

In the Office Action, the Examiner required election among the following alleged species and sub-species:

Alleged Species

- I – Figure 1
- II – Figure 8
- III – Figures 9 and 10
- IV – Figure 11
- V – Figure 12

Alleged 1st Sub-Species of Species I

- A – Figure 2
- B – Figure 3
- C – Figure 4

Alleged 2nd Sub-Species of Species I

- D – Figure 5
- E – Figure 6
- F – Figure 7

Applicants provisionally elect Species I and Sub-Species C and E with traverse. Claims 1, 2, 4, 5, 7-13, 16-17, and 24-38 encompass the species and sub-species of applicants' provisional election.

Applicants respectfully traverse the election requirement on two grounds. First, the undersigned disagrees with the Office Action's contention that the "species are independent or distinct because claims to the different species recite mutually

exclusive characteristics of such species." Indeed, the application makes clear that several of the alleged species and sub-species identified by the Office Action are not mutually exclusive. For instance, Figures 6 and 7 are not mutually exclusive. To the contrary, they both show the same embodiment of a mount, but just from two different views. See Brief Description of Figures 6 and 7 in the Application. Similarly, although the Brief Description of Figures 2 and 3 states that they show different embodiments, other parts of the application make clear that the structures shown in the two figures can be incorporated into the same embodiment. See para. 59 of the Detailed Description in the Application (discussing one embodiment in which second channel 22 (shown in Figure 2) and third channel 26 (shown in Figure 3) are on the same container).

Second, the undersigned respectfully traverses the election requirement for the additional reason that examination of the claims of the entire application will not impose an undue burden and therefore the requirement of election is improper. See MPEP § 803.

Conclusion

In light of the provisional election with traverse, the undersigned is of the opinion that this application is in a condition for allowance and respectfully requests the same. Along with this election with traverse, the undersigned submits a request for a one month extension of time to respond to the Office Action, accompanied by the appropriate fee. To the extent additional fees are due, the Commissioner is authorized to charge any additional fees that may be due for this Response to Deposit Account No. 11-0855.

If the Examiner believes that there are any issues that can be resolved via a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please call Michael Bertelson at (404) 815-6291.

Respectfully submitted,



Michael A. Bertelson
Registration No. 54,713

KILPATRICK STOCKTON LLP
Suite 2800
1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6500
Attorney Docket No.: 51437/310733